

MEETING #36– September 29

At a Workshop Meeting of the Madison Board of Supervisors on September 29, 2011 at 2:00 p.m. at Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: James L. Arrington, Chairman
Jerry J. Butler, Vice-Chairman
J. Dave Allen, Member
Eddie Dean, Member
Pete J. Elliott, Member
V. R. Shackelford, III, County Attorney
Lisa Robertson, County Administrator
Jacqueline S. Frye, Secretary

Chairman Arrington called the meeting to order and established the presence of a quorum, noting that all members are present.

Chairman Arrington then commenced the meeting with the Pledge of Allegiance and a Moment of Silence.

Chairman Arrington advised the Board had previously discussed suspending the usual rule on voting to allow action to be undertaken in the absence of a County Administrator.

The County Attorney advised the guideline didn't apply to just any topic, but modified to be done for topics requiring action before the regular meeting session during the absence of the County Administrator.

Supervisor Dean advised that the issue was properly moved and seconded so it has already been approved and is in place.

The County Attorney emphasized that the Board indicated action would only be taken on matters requiring action during the absence of the County Administrator.

1. Workshop Agenda Items:

a. Rappahannock Electric Line @ Hoover Ridge:

Supervisor Dean advised that the Board previously allowed the football group to have activities and also discussed the need to have power at Hoover Ridge. Additionally, an agreement was attained with Potomac/Edison (aka: Allegheny Power) at 'no cost'; however, since that time, things have changed and Rappahannock Electric now provides utility service to Madison County. In closing, he suggested the Board allow him to speak

with a representative from Rappahannock Electric (as Supervisor Elliott has also done) and invite them to look at the option of providing electricity at the site for youth activities that take place there. In closing, he suggested the option be assessed prior to a public discussion taking place.

Supervisor Butler suggested that Supervisor Elliott and Supervisor Dean meet with a representative from Rappahannock Electric and return a proposal for the Board to review.

After discussion, it was the consensus of the Board to authorize the above referenced suggestion.

b. Appointments to the Industrial Development Authority:

Chairman Arrington questioned if the terms of the members will need to be expanded.

Supervisor Butler advised that he spoke with Mr. Hughes and was advised that he would consider continuing to serve with the IDA Board, but not as the Chairman.

After discussion, the County Attorney advised that he will prepare a Resolution for the Board to take action on at the October Regular Meeting, after determining the terms for each member.

Supervisor Butler questioned whether the Board desired to reappoint the existing members without advertising the appointments.

After discussion, it was the consensus of the Board to move forward with reappointing the existing members of the IDA Board and not publish an advertisement.

c. VML/VACo Loan for Radio Communications Equipment:

The County Administrator advised that she asked VML/VACo to assist the County in putting forth a proposal for financing of the purchase price for the new radio communications equipment for the amount of \$493,343.00. Based on the information contained in the quote. The information forwarded earlier this week denoted that four (4) different banks were contacted and the County was provided with quotes that contained the most attractive interest rates, terms and conditions. Additionally, the term will be for ten (10) years with a repayment schedule that will consist of two (2) payments per year (to consist of twenty [20] payments per year) with an interest rate of 2.845%, which is very good, and closing costs, bank costs are all included in the total amount to be financed (i.e. \$503,509.00).

The County Administrator advised that the first payment to Clear Communications, Inc. is due November 1, 2011; therefore, it's very important that the County close on the

loan shortly. Additionally, she advised VML/VACo that the next opportunity for the Board to take action will be the October Regular Meeting; should the Board decide to act, the closing on the loan should take place later during the same week in order to meet time constraints and allow the proceeds to be available prior to the loan payment being due.

Supervisor Butler questioned if all procurement procedures were followed with the aforementioned action.

The County Administrator explained the arrangement with Clear Communications, Inc. is the only practical source for this type of equipment upgrades; otherwise, the County would have to completely replace the existing infrastructure. In closing, the files contain a 'sole source communication letter' which is required when this type of procurement is done, along with additional paperwork.

Supervisor Dean questioned if there was a reason as to why the Board can't take action at the October Joint Meeting.

The County Administrator advised that she has a few items to follow up on and is currently awaiting on a package of documents from VML/VACo (to include an authorizing resolution), and she's hoping that information will be received in time for one of the upcoming meetings. In closing, she will advise VML/VACo of the need so the issue can be acted upon very shortly, at least in time for the October Regular Meeting, and advised that no public hearing will be needed.

d. Other Matters Not Listed:

Old ABC Store (Update):

Supervisor Elliott advised that he went by the Old ABC Store and the walls and frames are in and drywall work will begin tomorrow. Additionally, he attended a meeting last night in which there were discussions about the fact that the United States Postal Service is looking to close many of the smaller postal stations in the County, and he suggested the Board write a letter in support of the value of the local stations that many citizens visit regularly.

Proposed Closing of Satellite Postal Facilities:

Supervisor Dean also suggested the County take a stand due to the fact that the local postal offices are a social center for many of the smaller communities; therefore, he concurred that a letter be written to support these offices remain in operation.

Supervisor Butler also verbalized agreement with the aforementioned ideas and feels the letter should also mention the efficiencies that can be undertaken in the interim.

Chairman Arrington and Supervisor Allen also verbalized agreement with the concept as previously stated.

In closing, Chairman Arrington asked the County Attorney to draft a letter.

The County Administrator also suggested a copy be sent to Congressman Cantor's Office as well.

Supervisor Dean suggested that copies also be sent to the two (2) State Senators.

Maintenance Detail on County Property:

Supervisor Elliott advised that with the recent heavy rains, it appears the two (2) maintenance personnel are unable to keep the grass cut at the County offices.

Supervisor Dean agreed and advised that assistance is also needed with tending to the athletic fields, as the work needs to be implemented in stages. Additionally, he feels there may be a need to develop a pool of part-time staff to assist with these tasks.

Supervisor Elliott advised that fertilizer also needs to be used and there is a large portion that was purchased during the past year that needs to be utilized.

Supervisor Butler asked if a 'blanket purchase order' can be used for part-time personnel.

The County Administrator advised that 'blanket purchase orders' are usually used for independent contracting services; she also explained that the Board can advertise for people who want be 'on call' as needed and place a cap on the total number of hours that can be worked each week. In closing, she suggested a group be hired to work with the understanding they can work at least twenty (20) hours per week.

Supervisor Butler asked if it was appropriate to attach a dollar amount.

The County Administrator advised the County will need to assess part-time expenditures; therefore, she suggested the Board identify how many people will be in the pool by utilizing the same type analogy as used for the EMS Department. In closing, she advised the Board will need to define the need as well.

Teresa Miller, Finance Director, was present and advised that part-time personnel are covered under the County's workman's compensation plan.

Supervisor Elliott asked if there were still some names in place from past part-time resources.

The County Administrator advised that the Board can reactivate the old list, but will need to determine how many people will be needed for rotation and the rate of pay that will be offered.

The Finance Director reminded the Board that two (2) part-time personnel members from the past were laid off and applied for unemployment benefits, which the County had to pay.

Supervisor Butler questioned if an open-ended contract could be utilized by a 'blanket purchase order.'

The Finance Director advised that based on IRS guidelines, a 'blanket purchase order' denotes a contract is in place.

Supervisor Elliott suggested that five (5) people be sought for a part-time 'in house' pool. Additionally, he suggested if this request is advertised next week, a hire could be made relatively quickly.

Mr. Finks asked if staff would still be allowed to work their regular jobs.

The County Administrator advised that County staff can be hired to work in the part-time pool as long as their regular job is in a different department.

The Finance Director advised that an email could be sent to each department and be disbursed to staff in house with a salary rate of \$10.00 per hour.

Supervisor Dean motioned that an in-house email be forwarded to contain a description that the position(s) will be responsible for cutting grass and other lawn care tasks. In closing, he suggested that Ms. Miller and Mr. Finks would be responsible for interviewing potential candidates, and advised this request falls into the category as discussed during the prior meeting.

Supervisor Allen questioned the point of order and that the above referenced request doesn't fall into the category of action needed in the absence of a County Administrator, in line with suspending the rules of voting.

Supervisor Butler questioned whether the Board will need to establish a number of hours and the hourly rate in a motion.

Supervisor Dean advised the County has part-time funding allocated in the Maintenance Department that can be accessed to fund today's request.

Chairman suggested the Board suspend the rules of voting and move forward.

[*Supervisor Dean withdrew his prior motion*](#)

After discussion, on motion of Supervisor Allen, seconded by Supervisor Butler, the Board suspended the rule of voting at the Workshop Session, with the following vote recorded:

James L. Arrington	Aye
Jerry J. Butler	Aye
J. Dave Allen	Aye
Eddie Dean	Aye
Pete J. Elliott	Aye

After discussion, on motion of Supervisor Dean, seconded by Supervisor Allen, the Board authorized Mrs. Frye to forward an email to all County employees to advertise an in-house opening of up to five (5) part-time positions for lawn care (\$10.00 per hour), to be funded from part-time budget from the Facilities/Maintenance Department, with the following vote recorded:

James L. Arrington	Aye
Jerry J. Butler	Aye
J. Dave Allen	Aye
Eddie Dean	Aye
Pete J. Elliott	Aye

Shotwell Road:

Supervisor Dean advised that he has questions about Shotwell Road and asked if there was anyway the Board can get an opinion from the Commonwealth Transportation Board as to their intent.

The County Attorney advised that the Commonwealth Transportation Board has voted to leave the roadway in its current status, which is that the road isn't abandoned or discontinued from maintenance, but is subject to normal procedures with regard to maintenance or improvements. Additionally, he feels the County can move forward with the following options:

1. To do nothing (which would leave the roadway in that status);
2. The County could ask the Commonwealth Transportation Board to reconsider discontinuing maintenance (only the CTB can make that decision);
or
3. The County could make the decision to abandon the roadway;

In closing, the County Attorney advised that he doesn't feel the County will get anything else out of the Commonwealth Transportation Board, as VDOT reported there are currently no funding plans; however, he doesn't believe the County will be advised there are no intentions of funding the roadway without approval, which is contrary to their normal course of action.

The County Attorney advised if the County wants the Commonwealth Transportation Board to look at this matter again, the County will have to petition for discontinuance of maintenance on Shotwell Road.

Supervisor Allen questioned if the Commonwealth Transportation Board can render an opinion is when they meet as a Board.

The County Attorney advised this is correct, as there is an Executive Director. However, with this type of issue, it anticipates that action will be required by the Board. In closing, he feels it's very unlikely that the County can persuade the Commonwealth Transportation Board to provide an 'advisory opinion', as they must have a case before them before they 'tie their hands' in some sort of presidential manner.

Supervisor Elliott questioned if the County asked the Commonwealth Transportation Board to discontinue maintenance on Shotwell Road and they decided not to abide, would the County still have the option to request the roadway be abandoned.

The County Attorney advised the aforementioned assumption is correct; however, he feels any request of abandonment on behalf of the County has to be done within four (4) months of the Public Hearing. In any case, if an opinion isn't attained from the Commonwealth Transportation Board, the County may need to schedule another Public Hearing.

Supervisor Butler questioned if the letter could contain a question as to how many other roads fall in the same category as Shotwell Road that haven't been maintained.

The County Attorney advised that he was unsure if the Commonwealth Transportation Board would have the aforementioned information. In closing, he suggested the letter to be drafted needs to focus solely on Shotwell Road only. In closing, he suggested the Board continue discussions at the October Regular Meeting.

Chairman Arrington questioned what could be done in the event no decision is made.

The County Administrator advised the County can petition and with the following vote recorded: to make a request of the Commonwealth Transportation Board as denoted earlier by the County Attorney.

The County Attorney advised that he contacted the Commonwealth Transportation Board and wasn't given any pertinent information. In closing, he will make another attempt and urged the County to put forth a request that action be undertaken.

CIP Issues:

Supervisor Dean advised that the Board will need to address items denoted in the joint CIP, as there are bleachers at the stadium that have been banned from usage. Additionally, he verbalized concerns about the boilers at the schools and feels the Board needs to take some measures to take care of these obligations. In closing, he suggested the Board have a representative from Crabtree, Rohrbaugh Associates identify some of these projects.

The County Administrator advised that she attended a recent meeting with Crabtree, Rohrbaugh Associates to discuss the future list. There were suggestions that the Board review the current list of projects and denote items that need to be taken care of.

Supervisor Elliott stated it's obvious there are problems that need to be fixed. Additionally, Crabtree, Rohrbaugh Associates were hired to provide some input on these items and he doesn't feel this is being done.

Supervisor Butler advised that he was under the impression the sub-committee was making a list.

The County Administrator advised there is a list already in place that can be explored for bidding and financing. Additionally, HVAC replacement at the Wetsel Middle School and Madison County High School are also denoted on the list.

Supervisor Elliott verbalized concerns as there is water seeping into many of the County structures and roofs need to be replaced.

The County Administrator advised that the Board can only make progress by asking Crabtree, Rohrbaugh Associates to take things to the next level by providing input on a contract price for roofing and the replacement of HVAC systems. In closing, she advised there will be a need to have a scope of the project before moving forward.

The County Attorney suggested the Board follow today's procedures as verbalized and push forward.

Chairman Arrington advised the Board will need to find out when the next joint meeting has been scheduled with the Madison County School Board.

The County Administrator advised that the Board can't make any funding decisions until costs on all high priority project items have been scoped.

Supervisor Dean advised that the last joint meeting with the Madison County was cancelled and wasn't rescheduled; therefore, he feels it should be their responsibility to set another date.

Supervisor Elliott suggested the Board realize things aren't getting any better; there needs to be financing made available in order to fix things and the interest rate is cheaper now than it has ever been.

Supervisor Dean suggested a representative from Crabtree, Rohrbaugh Associates be asked to attend the October Regular Meeting and assess what needs to be done in order to move the County to the next level.

Supervisor Butler suggested the Board concentrate on roof replacement.

The County Administrator explained the sub-committee's charge and areas of expertise, but it will be up to Crabtree, Rohrbaugh Associates to provide a scope of work in order to get things from "point A to point B."

After discussion, it was the consensus of the Board to have a representative from Crabtree, Rohrbaugh Associates attend the October Regular Meeting and provide input from the list of projects contained in the CIP.

Other Items:

Robert Finks, Director of Emergency Communications, advised that a snow removal contract will be needed for the winter season.

Teresa Miller advised that since the Finance Department will be handling the business license tax, she suggested that Bonnie Perryman be moved from the War Memorial Building to Thrift Road to assist with this task. In closing, she also advised there are several items still remaining in Ross Shifflett's old office that needs to be removed, and suggested the space be utilized for storage.

The Finance Director advised there were files removed from the old office that contained information on the Transfer Station – they are now at the Thrift Road Office.

Supervisor Elliott advised there are two (2) large shelves at the Old ABC Store and an old copier; he questioned whether another department could use any of these items.

The County Administrator stated the shelves were new units and were used by the Clerk's Office; however, she questioned whether they could be used in one of the rear offices of the building. Additionally, the copier is out of service completely and was removed from the Sheriff's Office and can be discarded.

Supervisor Butler asked about the status for the Waste Management contract. The County Administrator advised that a contract will need to be drafted with Olver within the next six (6) months.

Supervisor Elliott asked about the recycling contract.

The County Administrator advised the Board to check with Mark Ford at the Transfer Station in order to get a list of local recycling firms (i.e. container rentals). In closing, she advised there are some recyclables that actually cost more to be disposed of, and also advised that financial documents have been forwarded to the Finance Director.

Chairman Arrington advised that citizens have asked about recycling plastics.

Mr. Finks stated that phones will be changed at the Old ABC Store shortly and he will contact ANS when this action will need to be in place.

e. Adjournment:

With no further action being required by the Board, on motion of Supervisor Allen, seconded by Supervisor Elliott, Chairman Arrington adjourned the meeting, with the following vote recorded:

James L. Arrington	Aye
Jerry J. Butler	Aye
J. Dave Allen	Aye
Eddie Dean	Aye
Pete J. Elliott	Aye

James L. Arrington, Chairman
Madison County Board of Supervisors

Jacqueline S. Frye, Acting Clerk to the Board

Date Adopted by the Board: October 11, 2011

Copies: James L. Arrington, Jerry J. Butler, J. Dave Allen, Eddie Dean,
Pete J. Elliott, V. R. Shackelford, III & Constitutional Officers
